

AMENDED IN ASSEMBLY MARCH 29, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 2287

Introduced by Assembly Member Swanson

February 24, 2012

An act to amend Section 1191 of the Harbors and Navigation Code, relating to bar pilotage.

LEGISLATIVE COUNSEL'S DIGEST

AB 2287, as amended, Swanson. Bar pilotage: rates.

Existing law provides for the licensing and regulation of pilots for Monterey Bay, and the Bays of San Francisco, San Pablo, and Suisun, and the payment of specified pilotage rates and charges imposed on vessels piloted in those bays. In that connection, existing law requires the Board of Pilot Commissioners for Monterey Bay, and the Bays of San Francisco, San Pablo, and Suisun Bays to recommend that the Legislature, by statute, adopt a schedule of pilotage rates ~~providing that~~ *provide* fair and reasonable return to pilots engaged in ship movements or special operations if *the* rates for those movements or operations are not specified by law.

Existing law requires a vessel using pilots for ship movements or special operations that do not constitute bar pilotage to pay the rate specified in the schedule of pilotage rates adopted by the Legislature.

This bill would, in the alternative, require a vessel using pilots for ship movements or special operations that do not constitute bar pilotage to pay the rate mutually agreed upon by the port agent and the person with the authority to act on behalf of the vessel using a pilot for ship movements or special operations that do not constitute bar pilotage.

~~This bill would make technical, nonsubstantive changes in those provisions relating to the schedule of pilotage rates.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1191 of the Harbors and Navigation Code
2 is amended to read:
3 1191. (a) The board, pursuant to Chapter 6 (commencing with
4 Section 1200), shall recommend that the Legislature, by statute,
5 adopt a schedule of pilotage rates that ~~provides~~ *provide* fair and
6 reasonable return to pilots engaged in ship movements or special
7 operations if rates for those movements or operations are not
8 specified in Section 1190.
9 (b) A vessel using pilots for ship movements or special
10 operations that do not constitute bar pilotage shall pay the rate that
11 is specified in the schedule of pilotage rates adopted by the
12 Legislature *or the rate mutually agreed upon by the port agent*
13 *and the person with the authority to act on behalf of the vessel*
14 *using a pilot for ship movements or special operations that do not*
15 *constitute bar pilotage.*
16 (c) Consistent with the board's adoption of rate
17 recommendations in May 2002, the minimum rates imposed
18 pursuant to this section that are in effect on December 31, 2002,
19 shall be increased by 26 percent on January 1, 2003; those in effect
20 on December 31, 2003, shall be increased by 26 percent on January
21 1, 2004; those in effect on December 31, 2004, shall be increased
22 by 14 percent on January 1, 2005; and those in effect on December
23 31, 2005, shall be increased by 14 percent on January 1, 2006.